



California Regional Water Quality Control Board

San Diego Region



Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

September 12, 2003

Mr. and Mrs. Ernest Moretti
P.O. Box 2078
Borrego Springs, California 92004

CERTIFIED MAIL

Registration Number 7003 1680 0000 7397 2702

In reply refer to:

TSMC: ~~40~~-3537.05:pulvb

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Dear Mr. and Mrs. Moretti:

**SUBJECT: ADDENDUM NO. 6 TO CLEANUP AND ABATEMENT ORDER NO. 99-26
FORMER SANTA YSABEL CHEVRON SERVICE STATION,
30350 HIGHWAY 78, SANTA YSABEL, CALIFORNIA**

Enclosed is a copy of Addendum No. 6 to Cleanup and Abatement Order No. 99-26 (Addendum No. 6). Addendum No. 6 grants you an extension of the compliance dates for the installation of additional groundwater monitoring wells, vapor extraction wells, and the destruction of bedrock groundwater monitoring wells.

The revised compliance dates should provide you with enough time to obtain site access from the California Department of Transportation and cost preapproval from the California Underground Storage Tank Cleanup Fund. Nonetheless, you need to be diligent in your efforts to meet the deadlines specified in Addendum No. 6.

Addendum No. 6 is issued pursuant to California Water Code (Water Code) sections 13267 and 13304. Note the requirements and deadlines contained in Addendum No. 6. Pursuant to Water Code section 13350, failure to comply with Addendum No. 6 may subject you to further enforcement action by the Regional Board, including administrative or judicial proceedings for the assessment of civil liability in amounts of up to \$5,000 per day per violation, referral to the State Attorney General for injunctive relief, and referral to the District Attorney for criminal prosecution.

You may contest the issuance of Addendum No. 6 by requesting a public hearing on the matter before the Regional Board. In order to schedule a hearing, this office must receive a written request no later than 5 PM on October 23, 2003. The next scheduled meeting of the Regional Board at which this item can be heard is November 12, 2003. Be aware that a request for a hearing does not stay any of the deadlines in Addendum No. 6.

I strongly urge a prompt and complete response to each directive of Addendum No. 6. My staff will be happy to work with you in your efforts toward achieving compliance with the directives. If you have any questions regarding this letter, or Addendum No. 6, please contact Mr. Barry Pulver of my staff at (858) 467-2733.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



Mr. and Mrs. Ernest Moretti

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September 12, 2003

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Sincerely,



Mr. John H. Robertus
Executive Officer

JHR:bsp:jac

Enclosure: Addendum No. 6 to Cleanup and Abatement Order No. 99-26, Former Santa Ysabel Chevron Service Station, 30350 Highway 78, Santa Ysabel, San Diego County, California

cc (with enclosure):

Mr. Kenneth J. Vernon, R.G., Donan Environmental Services, Inc., P.O. Box 1839,
Vista, California 92085-1839

Mr. Anderson M. Donan, Donan Environmental Services, Inc., P.O. Box 1839,
Vista, California 92085-1839

Ms. Diana Conkle, Underground Storage Tank Cleanup Fund, P.O. Box 944212, Sacramento,
California 94244-2120

Mr. Casey Weaver, Underground Storage Tank Cleanup Fund, P.O. Box 944212, Sacramento,
California 94244-2120

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ADDENDUM NO. 6 TO
CLEANUP AND ABATEMENT ORDER NO. 99-26**

**FORMER SANTA YSABEL CHEVRON SERVICE STATION
30350 HIGHWAY 78, SANTA YSABEL
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter, Regional Board) finds that:

24. Mr. and Mrs. Earnest and Joyce Moretti (hereinafter the "*Discharger*") were diligent in their attempts to obtain an access agreements with neighboring property owners to install the groundwater monitoring wells required by Directive 44 of Cleanup and Abatement Order (CAO) No. 99-26. Due to factors outside of the control of access to several of the off site locations have not been obtained. Additional time is needed to obtain an encroachment permit from the California Department of Transportation. Therefore an extension of the due dates for the installation of the additional groundwater monitoring wells is reasonable.
25. In addition to the installation of the additional groundwater monitoring wells, Directives 43, 46, and 55 of CAO No. 99-26 require the destruction of several groundwater monitoring wells and the installation of additional on site vapor extraction wells November 15, 2003. Because of the financial savings from conducting all the field work at one time, an extension of the due date for the completion of this work to coincide with the due date for installing the additional groundwater monitoring wells is reasonable.
26. This action is an Order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, that pursuant to sections 13267 and 13304 of the California Water Code the Discharger shall provide technical reports and cleanup and abate the effects of the unauthorized discharge of petroleum hydrocarbon wastes at the Former Santa Ysabel Chevron Station site by complying with the following:

64. Directives 43, 44, 46, 47, 53, 54, 55, and 56 of CAO No. 99-26 are rescinded.
65. Submit a copy of an approved encroachment permit from the California Department of Transportation for the installation of groundwater monitoring and vapor extraction wells to the Regional Board no later than **November 30, 2003**.
66. Discontinue monitoring and sampling the bedrock groundwater monitoring wells.

67. Complete the installation of the replacement well and the upgradient groundwater monitoring well proposed for location D2 in the October 2002 Workplan, no later than **January 30, 2004**.
68. Commence monitoring and sampling the replacement and upgradient groundwater monitoring wells during the first quarter of 2004.
69. Destroy the bedrock groundwater monitoring wells in accordance with applicable State and local regulations and guidance no later than **January 30, 2004**.
70. Complete the installation of the vapor extraction wells no later than **January 30, 2004**.
71. Incorporate the installation of the vapor extraction wells into the existing vapor extraction system no later than **January 30, 2004**.
72. Submit a technical report regarding the installation of the replacement, upgradient, and vapor extraction wells and the destruction of the bedrock groundwater monitoring wells to the Regional Board no later than **March 30, 2004**. The technical report shall include the following items.
 - a. A narrative describing the well installation and well destruction activities;
 - b. Copies of laboratory test reports and tables of laboratory test results of the soil samples collected during the drilling of the borehole for the replacement well;
 - c. Boring and well construction logs;
 - d. Updates to the Site Conceptual Model, as appropriate;
 - e. Documentation that all investigation derived wastes were properly handled and disposed;
 - f. Copies of permits and other supporting documentation;
 - g. Conclusions regarding the distribution and source of dissolved petroleum hydrocarbons in groundwater, and the potential and/or existing risk to human health and the environment due to groundwater contamination; and
 - h. Recommendations for further investigative work.
73. All reports must meet all the requirements of CAO No. 99-26, and be signed and stamped by the registered professional in responsible charge of work; either a California registered geologist or licensed civil engineer experienced in conducting similar investigations in the State of California. All work must be done under the direct supervision of the registered or licensed professional who signs the documents required in Directive 72. By signing and stamping these documents the registered professional takes full responsibility as the

responsible professional in charge of work as specified in Business and Professions Code sections 6703 and 7805, and for the content of the documents.

74. A transmittal letter signed by the Discharger or his/her agent shall be submitted with all reports. The transmittal letter shall include a statement by the Discharger that, under penalty of perjury, to the best of the signer's knowledge the document is true, complete, and correct.
75. Pursuant to Water Code section 13267, the Regional Board may inspect the site to ascertain whether the purposes of this section are being met. The inspection shall be made with the consent of the owner or possessor of the facilities or, if the consent is withheld, with a warrant duly issued pursuant to the procedure set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure.
76. Prior to undertaking any investigative activity that could cause or contribute to the migration of waste from affected areas to unaffected areas, discharger or discharger's consultants shall determine investigative methods that will not cause or contribute to such migration, and shall develop and implement procedures to prevent such migration as a result of investigative activities.

Ordered by:



John H. Robertus
Executive Officer

Date Issued: September 12, 2003